IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 16236 of 2004

Between:

M.Satyam, S/o.M. Komaraiah,
R/o.H.No.2-1, Malkapur, Karimnagar District.

..... PETITIONER

AND

1 The Secretary, Regional Transport Authority, Karimnagar.

2 The Motor Vehicle Inspector, Sangareddy, Medak Dist.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction preferably one in the nature of writ of Mandamus, declaring the action of the 2nd respondent in seizing and detaining the petitioner's Tractor & Trailor bearing Registration No.API 3456 & API 3005, pursuant to the check report No. 1116687 dated
16-07-2004, and keeping the same in the office of the police station, as arbitrary and illegal and further direct the respondents to release the said vehicle to the petitioner forthwith.

Counsel for the Petitioner: SMT.M.VINOBHA DEVI

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following O R D E R:

(Per the Hon'ble Sri Justice Bilal Nazki).

Heard learned Counsel for the parties. With their consent, the Writ Petition is disposed of at this stage.

It appears that the petitioner's vehicle has been seized for violating the conditions of permit and for some other alleged offences. In the interest of justice, we dispose of this Writ Petition at this stage, directing release of vehicle subject to payment of tax due by the petitioner, without prejudice to his rights in the enquiry and further subject to filing an undertaking by the petitioner to the effect that he shall not alienate or in any way encumber the vehicle.

The Writ Petition is accordingly disposed of. No costs.

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(BILAL NAZKI, J)

22nd September, 2004.

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(S.ANANDA REDDY, J)

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To

1 The Secretary, Regional Transport Authority, Karimnagar.

2 The Motor Vehicle Inspector, Sangareddy, Medak Dist.

3 Two C.Cs to the Government Pleader for Transport, High Court of A.P., Hyderabad (OUT)

4 Two C.D copies